

Remarks

Claims 1-78 are pending in the present application. Applicants herein cancel claims 1-49, 56-69 and 75-78, without prejudice, in view of the election set forth below. In addition, Applicants herein amend claims 50-55 and 70-74, as well as add new claims 79-119. Support for the amendment to claim 50 can be found in the present specification, for example, at page 15, lines 9-11; page 10, lines 13-17; page 6, lines 11-12; and page 12, line 8. Support for the amendments to claims 51-55 and 70-74 can be found throughout the specification. New claim 79 is supported, for example, by original claim 50 and page 6, line 30. New claim 80 is supported, for example, by original claim 50; page 14, lines 19-21; page 15, line 1; and page 12, line 8. New claim 81 is supported, for example, by original claim 50; page 8, line 14; and page 10, line 1. Support for claim 82 can be found, for example, at page 15, lines 1-2. Support for claim 83 can be found, for example, at page 12, line 8. Support for claims 84-86 can be found, for example, at page 6, line 21 to page 7, line 29. Support for claims 87-90 and 103 can be found, for example, at page 8, lines 23-25 and original claims 6 and 7. Support for claims 91-94 can be found, for example, at page 6, line 21 to page 7, line 13. Support for claim 95 can be found, for example, at page 15, line 30. Support for claims 96-99 can be found, for example, at page 10, line 23 to page 11, line 13. Support for claims 100-102 can be found, for example, at page 10, line 25. Support for claims 104 to 109 can be found, for example, from original claims 52-55, 70, 73, and 74. Support for claims 110 to 114 and 119 can be found, for example, at page 4, lines 17-24. Support for claims 115 to 118 can be found, for example, at page 6, lines 27-31 and page 7, lines 5-10. It is respectfully submitted that no new matter is added by the foregoing amendments and entry of such is respectfully requested.

Restriction Requirement

In the Office Action dated July 17, 2008, the Examiner issued a restriction requirement between Groups I, II, III and IV. Applicants herein elect Group IV, claims 50-55 and 70-74, directed to the seamless capsules of the present invention, without traverse. As a result of this election, Applicants have herein canceled claims 1-49, 56-69 and 75-78. Furthermore, Applicants herein add new claims 79-119 directed to seamless capsules. If the restriction

requirement is understood correctly, it is believed that the Examiner will consider these new claims to be directed to the elected invention herein.

Election of Species

At page 5 of the Office Action, the Examiner indicated that if Applicants elect Group IV, then an election of species is further required. Applicants herein elect species (a) as set forth in the Office Action; i.e., enteric or delayed release.

Furthermore, at pages 3-4 of the Office Action, the Examiner also indicated that Applicants should elect an emulsion type. While this was not indicated as being required if Group IV was elected, since claims are added herein that include different emulsion types, if an election is required on any of the new claims herein with respect to the emulsion type, then Applicants further elect species (a) as set forth in the Office Action; i.e., oil-in-water.

Early favorable action is earnestly solicited.

Respectfully submitted,

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